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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/601,125	06/20/2003	Mutsumi Kitagawa	791_225	6000
25191	7590	12/16/2004	EXAMINER	
Burr & Brown PO BOX 7068 SYRACUSE, NY 13261-7068			DOUGHERTY, THOMAS M	
			ART UNIT	PAPER NUMBER
			2834	

DATE MAILED: 12/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.



**DETAILED ACTION**

***Election/Restrictions***

Restriction to one of the following inventions is required under 35 U.S.C. 121:

- I. Claims 1-9, drawn to a piezoelectric/electrostrictive actuator, classified in class 310, subclass 358.
- II. Claims 10-12, drawn to a method of making a piezoelectric/electrostrictive actuator, classified in class 29, subclass 25.35.

The inventions are distinct, each from the other because of the following reasons:

Inventions of Group I and of Group II are related as process of making and product made. The inventions are distinct if either or both of the following can be shown: (1) that the process as claimed can be used to make other and materially different product or (2) that the product as claimed can be made by another and materially different process (MPEP § 806.05(f)). In the instant case the process can be used to make other and materially different products, such as those that use nickel or nickel-chromium or chromium, et al. in place of titanium, additionally, products of different thickness ranges other than that claimed (claim 6) can be made by the process. Alternatively, particle sizes other than that claimed (claim 11) may be used in the product.

Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.

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Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

Direct inquiry to Examiner Dougherty at (571) 272-2022.

*tmd*  
tmd

December 3, 2004

*Thomas M. Dougherty*  
**THOMAS M. DOUGHERTY**  
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**GROUP 210**